

LAW LIBRARY OF CONGRESS  
RIGHTS OF PEOPLE WITH DISABILITIES

POLAND

*SUMMARY*

The Republic of Poland does not have a comprehensive law similar to the ADA. The rights of people with disabilities in Poland are protected by various international and domestic laws. The Republic of Poland has signed most international conventions related to disabilities. The Polish Constitution also guarantees equal or preferential treatment to people with disabilities. In 1997, the Polish government adopted the **Charter of Rights of Disabled People** ("Charter") which embodies the official policy and may serve as guidance for the interpretation of rights and obligations referred to in other legislation applicable to the disabled. The Charter defines disability in terms of functionality, not unlike the ADA. Accordingly, persons "whose physical, psychological, or mental capacity, permanently or temporarily, hinders, limits, or disables their everyday life, study, work, or fulfillment of social roles, according to legal or customary rules"<sup>1</sup> are considered disabled and entitled to special protection or treatment under the constitution. However, these policies have not led to special legislation. To date, persons with disabilities are covered by general laws applicable to all inhabitants. The same holds true with regard to enforcement of rights.

**Scope of Policy Statement in the Charter.**

The charter does not distinguish between public and private employers, and extends the policy to a wide range of issues. Included are:

- Access to
  - goods and services
  - health treatment, medical care, early diagnosis, rehabilitation and treatment;
  - education, mainstream, special, or individual;
  - orthopedic objects, aid devices, and rehabilitation equipment;
  - comprehensive rehabilitation with the purpose of social adaptation;
  - the open labor market according to qualifications, education, and abilities;
  - professional counseling and employment referral;
  - accommodations;
- psychological, pedagogical, and other specialized help enabling the achievement, development, and improvement of general and professional qualifications;
- social security and tax benefits;
- Barrier-free access to
  - offices, voting stations, and other public utilities

---

<sup>1</sup> See country report on page 1.

- means of transportation
  - information and communication.
- self-governing representation of their group and ability to express their opinions on all bills that relate to disabilities;
- full participation in public, social, cultural, artistic, sport, and recreation and tourism life appropriate to their interests and needs.

### **Constitutional Underpinning of the Charter.**

The Charter explicitly states that rights of disabled people are guaranteed by the Polish Constitution, the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the Standardized Rules for Providing Equal Opportunities for Persons with Disabilities, as well as other international and domestic laws. The Constitution of the Republic of Poland provides special treatment to disabled persons to accomplish or expedite full integration into society through obligating public authorities to assist disabled persons in securing their subsistence, adaptation to work, and public communication, in accordance with the law.

### **Public Policy Implementation.**

The Charter requests central and local governments to undertake steps necessary for fully effectuating these policies in enacting appropriate laws and regulations. To date, any policy implementation is based on the general **Law on Professional and Social Rehabilitation and Employment of Persons with Disabilities 1997**. Professional rehabilitation is administered by district employment agencies, and social rehabilitation by local centers for family assistance.

### **Enforcement and Remedies.**

No special information is available. It appears that violations may be enforced under regular civil and criminal provisions for violation of law.

### **Affirmative Defenses.**

No information available.